



# Elderly Residents Program Application

Please read the attached Policy Guidelines and provide the requested information.

1. Address of Property:

\_\_\_\_\_

2. Applicant/Owner name & mailing address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

E-mail \_\_\_\_\_

What year were you born? \_\_\_\_\_

3. Applying for:  Grant or  Loan

Requested Grant or Loan Amount:

\$ \_\_\_\_\_

Estimated Total Cost for Entire Project:

\$ \_\_\_\_\_

**For Office Use Only:**

Owner Occupied

Non-owner Occupied

Verified through the Lawrence County Office of Equalization

Date: \_\_\_/\_\_\_/\_\_\_      Initials: \_\_\_\_\_

Assessed Valuation \$ \_\_\_\_\_

4. Complete a City of Deadwood Application for Project Approval OR Certificate of Appropriateness and attach it to this document.

5. Certification

I certify all information contained in this application and all information furnished in support of this application is given for the purpose of obtaining financial assistance in the form of a grant or a loan as true and complete to the best of my knowledge and belief. I acknowledge I have read the policy guidelines for the loan or grant included with and for this application and agree to all of the terms and conditions contained in the policy guidelines. I agree any contractors which I hire for this project will hold contractors licenses with the City of Deadwood and will require they also agree to and abide by the terms and conditions of the policy guidelines.

I acknowledge the Deadwood Historic Preservation Commission is merely granting or loaning funds in connection with the work or project and neither the Historic Preservation Commission nor the City of Deadwood is or will be responsible for satisfactory performance of the work or payment for the same beyond the grant or loan approval by the Historic Preservation Commission. I acknowledge I am solely responsible for selecting any contractors hired in connection with the project and in requiring satisfactory performance by such contractor. I agree to indemnify and hold harmless the Deadwood Historic Preservation Commission and the City of Deadwood against losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from or arising out of or relating to the Deadwood Historic Preservation Commission's acceptance, consideration, approval, or disapproval of this application and the issuance or non-issuance or a grant or loan.

**Applicant's signature:** \_\_\_\_\_

**Date submitted:** \_\_\_/\_\_\_/\_\_\_

**Owner's signature:** \_\_\_\_\_

**Date submitted:** \_\_\_/\_\_\_/\_\_\_

Please return the completed application along with the Project Approval OR Certificate of Appropriateness to:

City of Deadwood  
Planning, Zoning & Historic Preservation  
108 Sherman Street  
Deadwood, SD 57732  
605-578-2082



# Elderly Resident Program Policy Guidelines

## 1. Statement of Purpose:

The restoration and protection of Deadwood’s historic buildings and structures are a primary part of the City’s goal to preserve and maintain Deadwood’s historic integrity. The expense of such restoration and protection projects may discourage property owners from having the work completed or may result in lower quality of craftsmanship. The purpose of this program is to assist and encourage property owners to use quality materials and craftsmanship by repairing first, where possible, and replacing, only if necessary.

## 2. Objective:

The City of Deadwood is a National Historic Landmark and is listed on the National and South Dakota State Registers of Historic Places. Maintaining these designations is critical to the economic success of the City and quality of life of its residents. The objective of the program is to stimulate the quality restoration and protection of buildings and structures that contribute to the historic integrity of the City of Deadwood.

## 3. Eligibility:

To be eligible for the Elderly Residents Program, the applicant and project must meet the following criteria:

- a. Applicant must be 65 years of age or older.
- b. The project must exist as part of a residential property within the Deadwood City Limits. Mobile homes and manufactured structures are not eligible for this program.

A project must also meet one of the following:

- The project must affect a property listed on the City of Deadwood’s 1993 Historic Sites Inventory as an historic property in the Deadwood National Historic Landmark District. Properties not listed on the inventory must be eligible for the National Register of Historic Places as defined in the National Park Service’s [National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation](#); or
- The project must affect individual life safety and structural deficiencies as determined by the City of Deadwood’s Building Inspector and applicable life safety codes. Determination of individual life safety issues and structural deficiencies is based upon the codes adopted by the City of Deadwood under Chapter 15.01.010 and by additional verification obtained through other means available to the City.

The City of Deadwood’s Historic Preservation Officer and Building Inspector determine a project’s eligibility. All eligible applications are subject to the review of the Deadwood Historic Preservation Commission.

## 4. Definition and Examples:

**Life Safety Project Definition** – Projects which are intended to protect people based on a facility’s construction, protection, and occupancy features that minimize the effects of health, fire and related hazards.

Examples of Life Safety Projects	
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| <ul style="list-style-type: none"><li>• Upgrade substandard electrical systems</li><li>• Substandard plumbing repairs or upgrades</li><li>• Install access ramps, and doors</li><li>• Grading protect structures from water damage</li><li>• Repair building foundation</li><li>• Remove tree hazards to historic structures</li><li>• Structural deficiencies</li></ul> | <ul style="list-style-type: none"><li>• Replace substandard heating system</li><li>• Asbestos removal</li><li>• Mold removal</li><li>• Repair/replace damaged sidewalks, steps, railing</li><li>• Repair / replace retaining walls*</li><li>• Repair damaged roofing</li></ul> |
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**5. Program Requirements:**

- a. All properties must meet the Revolving Loan Fund’s eligibility requirements.
- b. All persons receiving financing must conform to applicable federal and local regulations governing the use of specific loan funds.
- c. All loan applicants must present evidence of their ability to repay the loan and provide adequate collateral.
- d. Loan approval is contingent upon approval of the project by the Deadwood Historic Preservation Commission.
- e. All projects will be performed pursuant to the requirements of the codes adopted by the City of Deadwood under Chapter 15.01.010.
- f. All projects will be performed pursuant to the Secretary of the Interior’s Standards for the Treatment of Historic Properties and the Secretary of the Interior’s Guidelines for the Rehabilitation of Historic Buildings.
- g. The property must meet Minimum Property Standards adopted by the City of Deadwood; therefore, the City Building Inspector will inspect the property every two years for compliance. If the property is not within compliance, the City Building Inspector will notify the homeowner of the deficiency and will provide a reasonable time frame to correct the deficiency. If the deficiency has not been corrected after three notifications the loan will be considered to be in default and the Deadwood Historic Preservation Commission will take legal action.

**6. Grant and Loan Conditions:**

**Qualified Owner Occupied<sup>1</sup> (Grant):**

GRANT AMOUNT	INTEREST RATE	TERM	PAYMENT AMOUNT	SECURITY
\$10,000 maximum	<b>Not applicable</b>	<b>Not applicable</b>	<b>Grant</b>	<b>Grant Agreement</b>

<sup>1</sup>Owner Occupied status is verified with the Lawrence County Equalization Office and by additional verification obtained through other means available to the City. A Grant Agreement with the City of Deadwood must be signed by all parties.

**Qualified Non-Owner Occupied Property (Forgivable Loan)**

LOAN AMOUNT	INTEREST RATE	TERM	PAYMENT AMOUNT	SECURITY
\$10,000 maximum	<b>0%<sup>2</sup></b>	<b>Up to 10 years</b>	<b>No interim payments due<sup>2,3</sup> Forgivable at end of term</b>	<b>Loan Agreement</b>

<sup>2</sup>All Deadwood Historic Preservation loan programs will include the following fees: Credit Report, Recording Fee, 1% Loan Origination Fee, Settlement Fee and a Title Report Fee. These fees are collected from applicant/owner at loan closing. All loan fees will be disclosed on a Good Faith Estimate by NeighborWorks in accordance with the Real Estate Settlement and Procedures Act.

<sup>3</sup>Failure to complete work as approved in a timely fashion and/or failure to maintain property up to City of Deadwood’s Minimum Maintenance Standards may cause loan to be payable in full at that time and not forgiven.

Owners applying for construction loans must provide proof of ability to repay loan. Various documents will be requested by NeighborWorks to complete a loan application.

The Deadwood Historic Preservation Commission reserves the right to modify, amend, or forgive the loan payment or to change or modify this program for any reason.

Additional forgivable loan considerations:

- a. At the end of each full calendar year, 10% of the loan amount will be forgiven.
- b. If the owner/applicant desires to sell the property before the end of the loan term, the remaining unforgiven portion of the loan will be due in full.
- c. The owner/applicant must have addressed any additional preservation issues beyond the original work, meet Deadwood Minimum Maintenance Standards, and satisfy all loan conditions before loan can be transferred or forgiven.

## 7. Forms and Technical Assistance:

- a. **Loans** - Loan application forms and loan technical assistance are available at the NeighborWorks Office, 795 Upper Main Street in Deadwood. Telephone: (605) 578-1401.
- b. **Project Approval or Certificate of Appropriateness** – The applications are available at the Historic Preservation Office located at Deadwood City Hall, 108 Sherman Street in Deadwood. (605) 578-2082. This form is also available online at: <http://www.cityofdeadwood.com>, under **Permits, Licenses & Forms** tab, then under Historic Preservation heading.

This form must be completed and given to the Historic Preservation Officer who will present it to the Historic Preservation Commission for consideration. *[No work can start until Historic Preservation Commission approval and the owner/applicant has an approved City of Deadwood Building Permit.]*

- c. **City of Deadwood Building Permit** – A City of Deadwood (Residential or Commercial) Building Permit must be acquired from the City of Deadwood Building Inspector located at 67 Dunlop Avenue, in Deadwood. Telephone: (605) 578-3082. This permit application form is also available online at: <http://www.cityofdeadwood.com>, under **Permits, Licenses & Forms** tab, then under Building Inspector heading.



# Elderly Residents Program Administrative Procedures

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## 1. Application

- The Applicant/Property Owner/Owner's Representative (Owner) obtains from Historic Preservation Office, NeighborWorks or City of Deadwood Website:
  - Elderly Residents Program Application form
  - Application for Project Approval or Certificate of Appropriateness form
- The Owner submits completed copies of the above forms with signatures to Historic Preservation Office.
- A discussion between the Owner and the Historic Preservation Officer is recommended to clarify requirements and expectations of this program. This can greatly streamline the process.

## 2. Determination of Eligibility

- The Historic Preservation Officer and/or City Building Inspector conduct an on-site inspection of property to determine eligibility.
- Photographs are taken for documentation.
- A needs assessment will be done by the Historic Preservation Officer.
- The Historic Preservation Officer will prepare a written HP Staff Report for use by the Historic Preservation Committee (HPC). If a loan is involved, the Historic Preservation Officer communicates with NeighborWorks about the conclusions drawn in the HP Staff Report.

## 3. Historic Preservation Commission Project Approval

- Based on HP Staff Report, the Historic Preservation Commission (HPC) approves or denies the Application for Project Approval or Certificate of Appropriateness.
- Based on recommendations from the HP Loan Committee, HPC approves or denies the application for loan.
- If loan is approved, the agreements and any other necessary documents are recorded.
- A "Notice to Proceed" is issued to the Owner and/or Contractor and the City of Deadwood by NeighborWorks, in the case where a Construction Loan is involved.

## 4. Project Beginning and Ending

- The Owner is encouraged to enter into a contract with a City of Deadwood licensed contractor for the project.
- The Owner or Contractor obtains a City of Deadwood Building Permit. A "Notice to Proceed" from either the Historic Preservation Officer or NeighborWorks must be obtained before applying for a City of Deadwood Building Permit.
- Where Progressive Payments are involved:
  - The Owner is responsible for making arrangements for delayed payments or progress payments to the Contractor / Material Supplier. Owner must be aware that payments from the City of Deadwood may require up to 30 days or more before payments are made due to the City's approval process.

- Progressive payments are made subject to payment withholding to ensure project completion is accomplished.
- All final or progressive payments are for materials and/or contractor's costs only, supported by verifiable invoices. Owner's time is not reimbursable. No prepayments for materials are permitted.
- The Historic Preservation Officer and/or Building Inspector inspect the work in progress.
- The Historic Preservation Officer and Building Inspector conduct a final inspection after the completion of the entire project.

### **3. Expenditure Disbursement**

- After the Building Inspector has reviewed the work and/or materials and has consulted with the Historic Preservation Officer, the Building Inspector authorizes NeighborWorks to approve invoiced amount (less any withholding).
- NeighborWorks initially approves invoices.
- At a HPC meeting, the HPC approves the disbursement which is added to the City of Deadwood Commission's bill list for City (final) approval.
- Upon City approval, the City Finance Office issues checks for the disbursement to the Historic Preservation Office.
- Owner or Contractor pick-up disbursement check from the Historic Preservation office and, if Contractor is involved, the Contractor must sign lien waivers before final payment is made.

### **4. Continued Administration of Loans**

- NeighborWorks reviews all loan accounts once a month.
- Building Inspector notifies property owner if property does not meet Minimum Maintenance Standards, and if these issues are not resolved, the Building Inspector advises the HP Loan Committee. The HP Loan Committee provides recommendation to HPC either to work with owner, or make loan immediately payable.
- Where a Grant is not involved, the Construction Loan will be rolled into a 10 year loan and the documents will be recorded. Any costs associated with recording of documents must be paid by Owner.

### **5. Satisfaction of 10 year Loan**

- After terms and conditions of the loan are completed, NeighborWorks prepares a satisfaction of mortgage for the loan funds.
- HPC signs the satisfaction of mortgage.
- NeighborWorks collects from the Owner the recording fees for the satisfaction of mortgage documents.
- NeighborWorks delivers the satisfaction of mortgage to the Register of Deeds.
- NeighborWorks closes the Owner's loan account.
- NeighborWorks forwards the loan documents to the HP Office.
- NeighborWorks retains the loan documents for at least seven (7) years.